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15

16 **UNITED STATES DISTRICT COURT**  
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 JASON FYK,

19 Plaintiff,

20 v.

21 FACEBOOK, INC.,

22  
23 Defendants.  
24  
25  
26  
27  
28

Case No. 4:18-cv-05159-JSW-KAW

**STIPULATION REGARDING  
ENLARGEMENT OF THE NOVEMBER  
15, 2018, DEADLINE FOR PLAINTIFF  
TO RESPOND TO DEFENDANT'S  
NOVEMBER 1, 2018, MOTION TO  
DISMISS AND RELATED DEADLINES**

1 The parties, by and through their legal counsel, stipulate to the enlargement of the November  
2 15, 2018, deadline (and related reply deadline and hearing date) for Plaintiff to respond to Defendant's  
3 November 1, 2018, Motion to Dismiss [D.E. 20] deadline, as follows:

4 1. On August 23, 2018, Plaintiff commenced the instant action. [D.E. 1].

5 2. Pursuant to a stipulated enlarged Complaint response deadline, Defendant filed its  
6 Motion to Dismiss on November 1, 2018. [D.E. 20].

7 3. The deadline by which Plaintiff is to respond to the Motion to Dismiss is presently  
8 scheduled for November 15, 2018, with the reply deadline presently set on November 23, 2018, and  
9 the hearing presently scheduled for December 14, 2018.

10 4. Plaintiff's lead counsel ("lead" at least with respect to the drafting of the response to the  
11 Motion to Dismiss) is presently dealing with significant personal issues (the failing health and looming  
12 death of his mother-in-law) that make the November 15, 2018, response deadline unfeasible.  
13 Moreover, Plaintiff's counsel has a scheduling conflict with the present hearing date.

14 5. Plaintiff's legal counsel has conferred with Defendant's legal counsel regarding the  
15 need for a two-week enlargement of the November 15, 2018, deadline. Plaintiff's counsel is authorized  
16 to represent that Defendant's counsel stipulates to the requested enlargement.

17 6. The parties stipulate to the enlargement of the subject deadlines, as follows:  
18 (a) Enlargement of the Motion to Dismiss response deadline from November 15, 2018, to November  
19 30, 2018; (b) Enlargement of the November 23, 2018, reply deadline to December 14, 2018; and  
20 (c) Rescheduling of the December 14, 2018, hearing to January 7, 2019 (or as soon thereafter as is  
21 convenient for the Court).

22 7. This enlargement request is not made for any improper purpose, and the Court's  
23 granting of this enlargement request would not stand to derail the progress of this case or prejudice any  
24 party; indeed, the parties stipulate to the requested enlargement.

25 WHEREFORE, the aforementioned enlargement request being stipulated to, it is respectfully  
26 requested that the Court enter an order (a) enlarging the deadlines in the manner requested in Paragraph  
27 6 above (a proposed order is attached as Exhibit A for the Court's convenience), and (b) awarding any  
28 other relief that the Court deems equitable, just, or proper.

1 Dated: November 12, 2018

2 Respectfully submitted,

3 CALLAGY LAW, P.C.

KEKER, VAN NEST & PETERS, LLP

4 /s/ Jeffrey L. Greyber

/s/ Matan Shacham

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19 *Attorneys for Plaintiff*

**ATTESTATION**

I, Jeffrey L. Greyber, attest pursuant to L.R. 5-4.3.4(a)(2)(i) that Matan Shacham, on whose behalf the filing is submitted, concurs in the filing's contents and has authorized the filing.

/s/Jeffrey L. Greyber

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on November 12, 2018, I electronically filed the foregoing documents with the Clerk of the Court by using CM / ECF. I also certify that the foregoing document is being served this day on all counsel of record via Notices of Electronic Filing generated by CM/ECF, and via emails to defense counsel of record.

/s/ Constance J. Yu  
Constance J. Yu, Esq.